

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Tomoaki ABE et al.	)	Group Art Unit: 2811
	)	
Patent Application No.: 10/722,556	)	
	)	Examiner: HU, Shouxiang
Filed: November 28, 2003	)	
	)	
For: SURFACE MOUNTED LIGHT	)	
EMITTING DIODE AND METHOD	)	Confirmation No.: 4976
	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL WITH PETITION FOR THREE  
MONTH EXTENSION OF TIME**

Sir:

- Transmitted herewith is an Amendment responding to the Office Action dated December 16, 2005, the period for reply to which extends to June 16, 2006 by petition for a three month extension of time filed herewith.
- Additional papers enclosed:
  - ☐ Drawings: ☐ Formal Replacement Sheets and corresponding Annotated Sheets
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_ reference included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

[ ] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

[X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 120.00	\$ 60.00
[ ] two months	\$ 450.00	\$225.00
[X] <b>three months</b>	<b>\$1,020.00</b>	\$510.00
[ ] four months	\$1,590.00	\$795.00

Extension of time fee due with this request: **\$ 1020.00**. The Commissioner is hereby authorized by this paper to charge the \$1020.00 fee due under 37 C.F.R. §§ 1.17(a) to:

**1) Credit Account identified in Web-EFS filing**

If an additional extension of time is required, please consider this a Petition therefor.

[ ] An extension for \_\_months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims 37 C.F.R. §1.16(c)	<u>22</u>	minus <u>20</u> =	<u>2</u>	x \$50 each =	+ \$ 100.00
Independent Claims 37 C.F.R. §1.16(b)	<u>2</u>	minus <u>3</u> =	<u>0</u>	x \$200 each =	+ \$ 0.00
Reduction by ½ for filing by a small entity					- \$ 0.00
Total Additional Claims Fee =					+ \$ 0.00
Total Extension of Time Fees =					+ \$ 1020.00
TOTAL FEES DUE					\$ 1120.00

6. Fee Payment


☒ Please Charge Total Fee of \$ 1120.00 to:

☒ Credit Account identified in Web EFS filing.

The Commissioner is hereby authorized to charge any additional fees that were overlooked above and which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, to Applicant's Representative's Deposit Account identified in the Application Transmittal originally filed with this patent application. The Commissioner is also authorized to credit any overpayment to this same account.

Respectfully submitted,  
CERMAK | KENEALY LLP

Dated: June 16, 2006

By:   
David J. Kenealy  
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